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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|--------------------|-------------|-----------------------|------------------|
| 08/737,042 | 10/30/96 | HEED | B C-35620 |

34M1/0606

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EXAMINER

LEO L
ART UNIT PAPER NUMBER

3407

DATE MAILED: 06/06/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-4 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-4 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit: 3407

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hultgren.

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Herrmann. The brazing of the corrugated sheet edges with side wall 8 and opposite sides with side wall 7 are read as a "sealing layer" and "sealing strips", respectively.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the two opposite sides" in 8, "the lengthwise extension" in line 11, "the folded condition" in line 12, "the ends" in line 13, "the longitudinal side edges" in lines 13-14 and "the dimensions" in line 18. There is insufficient antecedent basis for these limitations in the claim. Furthermore, the claim recites "an oblique angle" in line 11, while claims 3 and 4 recite "the angle ... less than 45 degrees" in lines 2-4, which is acute, Correction is necessary.

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Claims 3 and 4 recite the limitations "the resistance" in line 4, "the intended direction" in lines 5-6 and "the mid-section" in line 7. There is insufficient antecedent basis for these limitations in the claim.

Any inquiry concerning this communication should be directed to Leonard R. Leo whose telephone number is (703) 308-2611.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group 3400 receptionist whose telephone number is (703) 308-0861.

Leonard R. Leo

LEONARD R. LEO
PRIMARY EXAMINER
ART UNIT 3407

May 29, 1997